

STATE OF SOUTH CAROLINA

(Caption of Case)

In the matter of:  
Carolina Power & Light Company d/b/a  
Progress Energy Carolinas, Inc.  
Annual Review of Base Rates for  
Fuel Costs

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2008-447-EG

(Please type or print)

Submitted by:

Thomas S. Mullikin

SC Bar Number:

Address:

10 N. Tryon Street  
Suite 4700  
Charlotte, NC 28202

Telephone:

(704) 331-1000

Fax:

Other:

Email:

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input checked="" type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input checked="" type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

RECEIVED

APR 30 2009

PSC SC  
DOCKETING DEPT.

VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*  
IN THE STATE OF SOUTH CAROLINA

RECEIVED

APR 30 2009

S.C. SUPREME COURT

IN THE MATTER OF:

Docket No. 2008-447-EG

Carolina Power & Light Company d/b/a  
Progress Energy Carolinas, Inc.  
Annual Review of Base Rates for  
Fuel Costs

Public Service Commission of South Carolina

Mailing Address:

101 Executive Center Dr.  
Suite 100  
Columbia, SC 29210

Comes now Michael K. Lavanga, applicant herein, and respectfully represents the following:

1. Applicant resides at 8715 Highgate Road, Alexandria, County of Fairfax, VA 22308; telephone number 703-704-5366.

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) Brickfield, Burchette, Ritts & Stone, PC, with offices at 1025 Thomas Jefferson Street, NW, 8<sup>th</sup> Floor West, Washington, DC 20007; telephone 202-342-0800; fax number 202-342-0807.

3. Applicant has been retained personally or as a member of the above named law firm by Nucor Steel-South Carolina to provide legal representation in connection with the above case now pending before the above named regulatory agency of the State of South Carolina.

4. Since August of 2001, applicant has been, and presently is, a member in good standing of the bar of the highest court of the District of Columbia where applicant regularly practices law. Attached is a certificate of good standing.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

<u>Court:</u>	<u>Date Admitted:</u>
Virginia	2000

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

Not applicable.

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court, date):

Applicant affirms the above statement to be true and correct.

RECEIVED

APR 30 2009

PSC SC  
DOCKETING DEPT.

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

Not applicable.

8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

Not applicable.

9. Local counsel of record associated with applicant in this case is Thomas S. Mullikin and Robert R. Smith II, of the Moore & Van Allen, PLLC law firm, which has offices at: 100 North Tryon Street, Suite 4700, Charlotte, NC 28202; telephone 704-331-1000.

If applicable list all other firms/attorneys you are associated with on this matter.

Not applicable.

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

Applicant filed an application to appear in the following proceeding before the South Carolina Public Service Commission:

Name: Case No. 2009-1-E  
Carolina Power & Light Company d/b/a Progress Energy Carolinas, Inc., Annual Review of Base Rates for Fuel Costs  
Status: On-going  
Application: Filed March 12, 2009  
Granted March 25, 2009 by Commission Order  
Local Counsel: Thomas S. Mullikin and Robert R. Smith, II

Name: Case No. 2008-251-E  
Application of Carolina Power and Light Company d/b/a Progress Energy Carolinas, Incorporated for the Establishment of Procedures for DSM/EE Programs  
Status: On-going  
Application: Filed July 22, 2008  
Granted August 14, 2008 by Commission Order  
Local Counsel: Thomas S. Mullikin and Robert R. Smith, II

Name: Case No. 2008-1-E  
Carolina Power & Light Company d/b/a Progress Energy Carolinas, Inc., Annual Review of Base Rates for Fuel Costs  
Status: Settlement Approved by Commission  
Application: Filed March 26, 2008  
Granted April 15, 2008 by Commission Order  
Local Counsel: Thomas S. Mullikin and Robert R. Smith, II

Name: Case No. 2007-1-E  
Carolina Power & Light Company d/b/a Progress Energy  
Carolinas, Inc., Annual Review of Base Rates for Fuel Costs  
Status: Settlement Approved by Commission  
Application: Filed February 8, 2007  
Granted March 2, 2007 by Commission Order  
Local Counsel: Thomas S. Mullikin and Robert R. Smith, II

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above named regulatory agency for this case only.

DATED this 29<sup>th</sup> day of April, 2009.

  
APPLICANT

#### VERIFICATION

DISTRICT OF COLUMBIA )

I, Michael K. Lavanga, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

  
APPLICANT/AFFIANT

Subscribed and sworn to before me this 29<sup>th</sup> day of April, 2009.

  
\_\_\_\_\_

Notary Public for the District of Columbia

My Commission Expires: 4/14/12

### LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

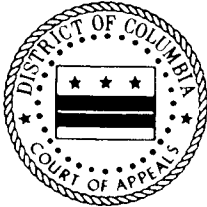
DATED this 30 day of April, 2009

  
\_\_\_\_\_  
LOCAL COUNSEL OF RECORD

### CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by a payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 30 day of April, 2009.

  
\_\_\_\_\_



District of Columbia Court of Appeals  
Committee on Admissions  
430 F Street, N.W. — Room 123  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

MICHAEL K. LAVANGA

---

was on the 6<sup>TH</sup> day of AUGUST, 2001  
duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this  
Court at the City of  
Washington, D.C., on April  
28, 2009.

GARLAND PINKSTON, JR., CLERK

By: M. Charles  
Deputy Clerk